

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

-----x
In re: :
LYNDEL TOPPIN, : Chapter 13
Debtor. :
-----x
-----x
LYNDEL TOPPIN, :
Plaintiff, : Adv. Pro. No. 18-00137 (MDC)
v. :
JEWELL WILLIAMS SHERIFF :
OF THE CITY OF PHILADELPHIA and :
ABDELDAYEM HASSAN a/k/a :
ABDELDYEM HASSAN, :
Defendant :
-----x

**SHERIFF OF THE CITY OF PHILADELPHIA'S
REMOTE WITNESS AND EXHIBIT LIST**

Defendant Sheriff of the City of Philadelphia (the "Sheriff"),¹ hereby submits this Remote Witness and Exhibit List related to the trial scheduled July 17, 2020 at 10:30 a.m.:

WITNESSES

1. Captain Sean Thornton
Philadelphia Sheriff's Office Civil Enforcement/Investigations Units
100 South Broad Street, 5th Floor
Philadelphia, PA 19110
Sean.thornton@phila.gov

Captain Thornton is expected to testify regarding policies and procedures of the Civil Enforcement Unit, including those with respect to receipt of notices of bankruptcy. He will testify

¹ Note the current Sheriff of the City of Philadelphia is Rochelle Bilal and an amended case caption is appropriate.

regarding the Civil Enforcement Unit's records with respect to notice of Lyndel Toppin's bankruptcy case. Captain Thornton will also testify as to the Civil Enforcement Unit's record keeping procedures and resources, the Civil Enforcement Unit's record keeping with respect to Writs of Possession, and the Civil Enforcement Unit's records with respect to the Writ of Possession at issue in this case. He will also testify in general regarding his duties and the duties of the Civil Enforcement Unit.

It is anticipated that Captain Thornton will be testifying remotely from a City of Philadelphia office conference room and that counsel for the Sheriff will also be present.

2. Sergeant Jetaria Taylor
Philadelphia Sheriff's Office
100 South Broad Street
Philadelphia, PA 19110
Jetaria.taylor@phila.gov

Sergeant Taylor is expected to testify regarding her duties as a deputy sheriff in the Civil Enforcement Unit. She will also testify regarding the manner in which Writs of Possession are executed and the manner in which she executed upon the Writ of Possession in this case. Sergeant Taylor will testify regarding record keeping with respect to the Writ of Possession at issue in this case and Writs of Possession in general. She will testify regarding her knowledge, if any, of notice of Lyndel Toppin's bankruptcy case as well as her understanding of procedures and policies of the Unit regarding notices of bankruptcy.

It is anticipated that Sergeant Taylor will be testifying remotely from a City of Philadelphia office conference room and that counsel for the Sheriff will also be present.

3. Abdeldayem Hassan
309 Barker Avenue
Lansdowne, PA 19050
dyem341@yahoo.com

Mr. Hassan will testify regarding what notice he received, if any, regarding Lyndel Toppin's bankruptcy proceedings including how and when notice was received. Mr. Hassan will also testify regarding when (if) he gave notice of the bankruptcy proceedings to the Sheriff's Office and how such notice was given.

It is anticipated that Mr. Hassan will be testifying remotely from a home or office and that his counsel may be present.

The Sheriff reserves the right to examine any additional witnesses identified by the other parties.

EXHIBITS

- City-1: Writ of Possession maintained by Sheriff's Office
- City-2: Fax Notice of Bankruptcy dated May 8, 2018
- City-3: Sheriff's Return of Service for Court of Common Pleas Docket No. 1504T0192
- City-4: Service Event Report dated May 10, 2018
- City-5: Fax of Notice of Bankruptcy dated June 7, 2018
- City-6: Service Event Report dated June 25, 2018
- City-7: Handwritten Entries in Logbook Dated June 25
- City-8: Handwritten Entries Regarding 21-Day Notice and Final Notice
- City-9: Philadelphia Sheriff's Sign In Sheets for Fridays in May and June 2018 as Redacted and Produced by Sheriff
- City-10: Notes of Sergeant Jetaria Taylor Produced by City December 9, 2019
- City-11: Declaration of Barrington Whyte attached to Motion for Judgment on Pleadings [Docket No. 48 in Adversary Proceeding]
- City-12: Employee Income Records [Docket No. 23 in Main Case]

City-13: Plaintiff's Responses to Defendant, the Sheriff of the City of Philadelphia's First Set of Interrogatories

City-14: Copy of Notice to Vacate 5/18/2018

City-15: Copy of Notice to Vacate 5/24/2018

City-16: Copy of Notice to Vacate 5/30/2018

City-17: Copy of Eviction Notice 6/1/2018

City-18: Copy of Eviction Notice 6/5/2018

City-19: Copy of Eviction Notice 6/7/2018

City-20: Plaintiff's Responses to Defendant, City of Philadelphia Sheriff's Department, Requests for Admission

City-21: Verification of Barrington Whyte Regarding Responses to Defendant, City of Philadelphia Sheriff's Department, Requests for Admission

City-22: Deposition Transcript of Barrington Whyte Dated December 12, 2019

City-23: Deposition Transcript of Abdeldayem Hassan Dated November 6, 2019

City-24: Abdeldayem Hassan's Answers to Request for Admission

City-25: Abdeldayem Hassan's Answers to Interrogatories

City-26: Philadelphia Sheriff's Office Directive 28

City-27: Motion for Writ of Possession, with Exhibits, as Attached to Plaintiff's Second Amended Complaint at Exhibit I

City-28: Praeclipe for Writ of Possession, with Exhibits, as Attached to Plaintiff's Second Amended Complaint at Exhibit J

City-29: Deposition Transcript of Captain Sean Thornton Dated December 12, 2019

City-30: Deposition Transcript of Sergeant Jetaria Taylor Dated December 12, 2019

The City reserves the right to rely upon any exhibits identified by other parties in this matter on direct or rebuttal.

Respectfully submitted,

THE CITY OF PHILADELPHIA

Dated: August 17, 2020

By: /s/ Megan N. Harper
MEGAN N. HARPER
Deputy City Solicitor
PA Attorney I.D. 81669
JOSHUA DOMER
Assistant City Solicitor
PA Attorney I.D. 319190
Attorneys for the City of Philadelphia
Municipal Services Building
1401 JFK Boulevard, 5th Floor
Philadelphia, PA 19102-1595
215-686-0503 (phone)
Email: Megan.Harper@phila.gov